

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy

United States District Judge

_____/

This Order Relates To:

ALL CASES

_____/

**ORDER DIRECTING CLERK'S OFFICE TO FILE OBJECTIONS
UNDER SEAL**

Through March 29, 2021, the Court accepted objections in response to the Opinion and Order granting Plaintiffs' Motion to Establish Settlement Claims Procedures and Allocation and for Preliminary Approval of Class Settlement Components. (ECF No. 1399.) The Court has received several *pro se* objections filed by United States mail and the Eastern District of Michigan Pro Se Electronic Document Upload Program. Many of these objections contain personal identifying information that mandate redaction for privacy protection. *See* Fed. R. Civ. P. 5.2(a) (requiring full or partial redactions of filings that contain "an individual's social-security number, taxpayer-identification number,

or birth date, the name of an individual known to be a minor, or a financial-account number”).

District courts “may order that a filing be made under seal without redaction” and may order parties “file an unredacted copy under seal” so long as the court “retain[s] the unredacted copy as part of the record.” *Id.* at (d), (f). “A filing that contains redacted information may be filed together with a reference list that identifies each item of redacted information and specifies an appropriate identifier that uniquely corresponds to each item listed. The list must be filed under seal and may be amended as of right. Any reference in the case to a listed identifier will be construed to refer to the corresponding item of information.” *Id.* at (g).

The Flint Water Crisis cases—and the current settlement proceedings that may resolve several issues in this matter—are of significant public importance and interest. The Court therefore deems it in the public interest to make *pro se* settlement objections available to the public. However, the Court is also cognizant that *pro se* filers, though able to waive their own privacy protections, may not have understood the privacy risks in submitting unredacted social security, address, and other

personally identifying information to the Court. Nor may these *pro se* filers be able to easily remedy the filing. *See Russell v. Sanilac County*, No. 14-13134, 2015 WL 5626628, at *5 (E.D. Mich. Sep. 24, 2015) (“[T]he court has sufficient discretion to take account of the special circumstances that often arise in *pro se* situations.”) Therefore, because the contents of the objections are in the public interest, but significant harm could result in publicly docketing the personally identifying information listed in Federal Rule of Civil Procedure 5.2(a), the Court exercises its broad docket management authority to redact this information. *See In re Knoxville News-Sentinel Co., Inc.*, 723 F.2d 470, 474 (6th Cir. 1983) (“Every court has supervisory power over its own records and files, and access has been denied where . . . interest[s] of privacy outweigh the public’s right to know.”)

Accordingly, the Court has redacted certain personal identifying information from objections filed by the following *pro se* individuals in compliance with Fed. R. Civ. P. 5.2(a). The Court now ORDERS that the Clerk’s Office publicly file the redacted copies and file the unredacted copies of these objections under seal:

- Georgia Dixon
- Gary Simon

- Clifton Turner
- Tiffany Sykes
- Lougennia Gould
- Evelyn Johnson
- Mary Calvin
- Willie Sykes
- Gerald Turner
- Linda Turner
- Roderick Chatman Jr.
- Michelle Mathis
- Rhonda Collier
- Pamela Hawkins

The Court additionally ORDERS the same as to the attached submissions received by Terry Walker.

IT IS SO ORDERED.

Dated: April 6, 2021
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on April 6, 2021.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager